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**LAW OFFICES OF GABRIEL DEL VIRGINIA**

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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re

KENNETH D. LAUB

Debtor.

Case No. 23-B-

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**DECLARATION OF KENNETH D. LAUB PURSUANT TO  
RULE 1007-2 OF THE LOCAL BANKRUPTCY RULES.**

KENNETH D. LAUB, being duly sworn, deposes and respectfully says:

1. I am the within debtor and debtor-in-possession and, as I am familiar with my business and financial affairs, I submit this affidavit pursuant Local Bankruptcy Rule 1007-2.

2. I am an individual residing at 163 East 64<sup>th</sup> Street, New York, New York 10021(the "Property") . The circumstances leading up to filing of my voluntary petition for relief under Chapter 11 of Title 11 U.S.C. §§ 101 *et seq.* (the "Bankruptcy Code"), was a foreclosure sale of the Property by Capital One, N.A. ("Capital One"), scheduled for May 3, 2023. I believe that given the relief afforded by the provisions of the Bankruptcy Code, I can formulate a feasible plan or similar arrangement to satisfy the obligations to my creditors.

3. There has been no committee organized before the order for relief.

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4. The holders (and their names, addresses and additional information) of the twenty largest unsecured claims against me are included in the documents filed herewith, and are incorporated herein by reference.

5. The holders of secured claims against my property are included in the documents filed herewith, and are incorporated herein by reference.

6. No balance sheet or similar document setting forth a summary of my assets and liabilities has been prepared. A detailed listing of my assets and liabilities will be included in my various schedules, statements and related documents to be filed with the Court.

7. As an individual, I have no publicly held securities.

8. I live at the Property.

9. The locations of the my substantial assetsis 163 East 64<sup>th</sup> Street, New York,  
New York 10021

10. I am party to those litigations captioned:

*Capital One, N.A., Plaintiff against Kenneth D. Laub, et al.,;* bearing Index No.  
159315/2017 and

*163 East 64<sup>th</sup> Street, LLC, Plaintiff against Kenneth D. Laub, et al.;* bearing Index  
No. 850281/2022.

Each of the foregoing foreclosure actions are pending in Supreme Court, State of New York, County of New York.

11. I anticipate net (personal) cash receipts of approximately \$2,000.00 for the thirty-day period following the filing of the petition and personal disbursements of approximately \$4,000.00 for the thirty-day period following the filing of the Debtor's petition.

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I hereby declare, pursuant to 28 U.S.C. § 1746 that the foregoing is true to the best of my knowledge, information and belief.

Dated: May 2, 2023

*/s/ Kenneth D. Laub*

**KENNETH D. LAUB**